

**14-27. Petitions for Reimbursement (1200 TN 510)**

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, including Section 106: to enter into settlements of claims asserted in petitions for reimbursement of the costs of abatement action incurred in carrying out a Section 106 order issued by the U.S. Environmental Protection Agency, and, as appropriate, to authorize payment in settlement of such claims.

2. **TO WHOM DELEGATED.** Director, Hazardous Site Cleanup Division (HSCD).

3. **LIMITATIONS.**

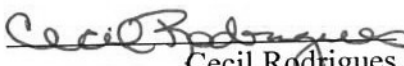
- a. The delegatee must obtain the concurrence of the Regional Counsel prior to exercising the authorities set forth in section 1.
- b. The delegatee should exercise the authority to authorize payment from the Hazardous Substance Superfund (Fund) in settlement of claims only with the advance concurrence of the assistant administrator for the Office of Enforcement and Compliance Assurance, the AA for OECA, the AA for OLEM, and the general counsel. The AA for OECA, the AA for OLEM, and the general counsel may waive or modify their advance concurrence by memorandum.
- c. The delegatee may exercise the authority only where the petitioner has agreed to dismiss its petition for reimbursement with prejudice as a condition of settlement.
- d. The delegatee may exercise the authority only to enter into settlements that do not involve payment from the Fund consistent with the most recent version of the "OECA/OSRE CERCLA and RCRA/CWA/UST Roles Chart," or successor documents, as appropriate, and CERCLA Delegations 14-13B, 14-14C, 14-14D, and 14-14E.
- e. Nothing in this delegation shall be construed to authorize delegates to settle any claims asserted in a petition for reimbursement based on a Section 106 order issued by any agency other than EPA.
- f. The delegatee shall notify the EAB immediately upon reaching a settlement agreement pursuant to this authority.

4. **REDELEGATION AUTHORITY.**

- a. This authority may be redelegated to the associate director level, and no further. The authority may not be redelegated without formal amendment.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. **ADDITIONAL REFERENCES.** Applicable Agency guidance and directives.

Date: 4/20/2017

  
Cecil Rodriguez  
Acting Regional Administrator